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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

SEP 16 2011

Certified Mail Number 7010 2780 0000 2178 9891

Return Receipt Requested

James Cagle, Risk Manager - EHS  
Nu-West Industries, Inc.  
Agrium Conda Phosphate Operations  
3010 Conda Road  
Soda Springs, Idaho 83276

Re: ERI and TDIP – Revised Boring Locations and Drilling Approach  
Administrative Order on Consent for Nu-West CPO Facility  
Docket No. RCRA-10-2009-0186

Dear Mr. Cagle:

The purpose of this letter is to respond to WSP Environment & Energy's September 12, 2011 letter sent to EPA on your behalf.

The letter presented a revised plan for completion of drilling activities at boreholes along Electrical Resistivity Imaging (ERI) and Time Domain Induced Polarization (TDIP) Transect 3 ("Transect 3"), proposed the advancement of eight boreholes, requested foregoing continuous coring of five boreholes, and proposed to set surface casing at 50 feet below ground surface (bgs) or when depth to water is encountered, whichever occurs first.

EPA has reviewed the ERI and TDIP Data Summary dated August 19, 2011 provided by WSP Environment and Energy to EPA, discussed the technical data with your staff during the EPA inspection on August 23 - 24, 2011, and participated in a conference call on September 14, 2011 to review the technical proposals in WSP Environment & Energy's letter of September 12, 2011.

EPA reviewed the Geophysical / Hydrophysical Data collected at borehole location A-14 provided by WSP Environment & Energy in the September 12, 2011 letter, and we evaluated the utility of gathering continuous cores at all of the remaining borehole locations along Transect 3. EPA concurs with Agrium Nu-West that it is not necessary to do so. It is our understanding that continuous coring will be performed at the following locations along Transect 3: 140 meters, 1,300 meters, and 1,720 meters.<sup>1</sup> Continuous coring is not required at the other locations along that transect.

EPA also discussed on September 14, 2011 with WSP Environment & Energy the proposal to set surface casing at 50 feet below ground surface (bgs) or when depth to water is encountered, whichever occurs first. We understand the challenge of potential borehole collapse, given the specific geology at the Nu-West CPO facility. EPA concurs with Agrium Nu-West's request to set surface casing at 50 feet bgs or when depth to water is encountered, whichever occurs first.

<sup>1</sup> All locations specified in this letter are consistent with a reference point of 0 at the south end of the ERI and TDIP survey Transect 3 and increasing to the north.

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Agrium Nu-West proposed to advance a total of eight boreholes, five of which were approved by EPA letter dated August 29, 2011.<sup>2</sup> Agrium Nu-West proposed a borehole at a location of 640 meters along Transect 3 in lieu of two boreholes at locations of 490 and 720 meters, as directed by EPA in the August 29, 2011 letter. EPA does not concur with this proposal, because the TDIP survey at this 640 meter location indicates an area of high chargeability at depth. The survey results at borehole locations at 490 and 720 meters indicate low modeled resistivity, low apparent resistivity at borehole location 720 meters, and variable apparent resistivity at borehole location 490 meters. In addition to the five borehole locations already approved by letter from EPA dated August 29, 2011, EPA hereby approves of borehole locations at 1,020 and 1,620 meters as proposed.<sup>3</sup> In addition, EPA requires that boreholes be advanced at 490 and 720 meters and disapproves of the proposal to advance a borehole at 640 meters in lieu of boreholes at 490 and 720 meters. The boreholes must be completed, surveyed and finished this field season as described in Sections 4 and 7 of the approved Work Plan for Additional Requirements dated July 11, 2011.

If you have any questions, feel free to call me at (206) 553-2964. Alternatively, you may reach me via email at: [Magolske.Peter@epamail.epa.gov](mailto:Magolske.Peter@epamail.epa.gov). Thank you for your attention to this important matter.

Sincerely,



Peter Magolske  
Air / RCRA Compliance Unit

cc: Jim Bulman, WSP Environment & Energy  
Brian Monson, Idaho Department of Environmental Quality  
P. Scott Burton, Esq. Hunton and Williams LLP

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<sup>2</sup> The five approved locations are at distances of 140 meters, 310 meters, 800 meters, 1,300 meters, and 1,720 meters along ERI and TDIP survey Transect 3.

<sup>3</sup> The reduced scope of work at the 1,620 meter location is defined in EPA's August 29, 2011 letter.